

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 534 of 1988

in

SPECIAL CIVIL APPLICATION No 4886 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL

and

MR.JUSTICE P.B.MAJMUDAR

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
 2. To be referred to the Reporter or not? : YES
 3. Whether Their Lordships wish to see the fair copy of the judgement? : YES
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : YES
 5. Whether it is to be circulated to the Civil Judge? : YES

GUJARAT ELECTRICITY BOARD

Versus

RAJESHKUMAR BABULAL PANARA

Appearance:

MR MD PANDYA for Appellants

MR MJ DAGLI for Respondent No. 1

NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE J.M.PANCHAL and

MR.JUSTICE P.B.MAJMUDAR

Date of decision: 17/11/1999

ORAL JUDGEMENT

(Per : Panchal, J.)

This appeal, which is filed under Clause 15 of the Letters Patent, is directed against order dated December 12, 1988 passed in Special Civil Application No. 4886/87 by which the appellants are directed to reinstate the original petitioner as apprentice during the pendency of above-numbered petition.

The respondent no.1 was appointed as an apprentice. According to the appellants, he was not eligible for being appointed as an apprentice and, therefore, his appointment was cancelled. That order was challenged by him in Special Civil Application No. 4886/87. The petition was placed for admission hearing before the learned Single Judge on December 12, 1988 and following order was passed :-

"Rule. By way of interim relief, respondents are directed to reinstate the petitioner as apprentice. The petitioner shall report for duty within 15 days from today."

The above referred to order is subject matter of challenge in the present appeal.

Mr. M.D.Pandya, learned Counsel for the appellants has produced true copy of the final judgment rendered by the learned Single Judge in Special Civil Application No. 4886/87 for our perusal. It indicates that the petition is dismissed by the learned Single Judge and interim relief granted is also vacated. As the main petition is disposed of, this appeal which is directed against interim order, does not survive and hence requires to be disposed of accordingly.

For the foregoing reasons, the appeal is dismissed as having become infructuous, with no order as to costs.

(patel)